

Message Text

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ACTION IO-13

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FOR IO/IWP

E.O. 11652: N/A

TAGS: OCON, AFIN, OTRA, ECOSOC

SUBJ: RESUMED 26TH SESSION UN COMMISSION ON STATUS OF
WOMEN DRAFT CONVENTION ON ELIMINATION OF DISCRIMINA-
TION AGAINST WOMEN; APPROVAL OF ADDITIONAL ARTICLES
4, 17, 18 AND 19 ARTICLE 20 DELETED; TEXT OF
REVISION OF ARTICLE 21 PROPOSED BY BELGIUM

1. AT THE FIRST MEETING OF THE RESUMED 26TH SESSION, THE
COMMISSION ADOPTED THE FOLLOWING TEXT FOR PARA 1
ARTICLE 4 BASED ON US AMENDMENT (ECN 6.L688) AND ADDED A
NEW PARA 2 BASED ON A UK-HUNGARIAN-CANADIAN PROPOSAL
ADOPTED BY VOTE OF 15 (USSR)-0-6 (US), AS FOLLOWS:

QUOTE (1) ADOPTION OF TEMPORARY SPECIAL MEASURES AIMED AT
ACCELERATING DE FACTO EQUALITY SHALL NOT BE CONSIDERED
DISCRIMINATORY BUT SHALL IN NO WAY ENTAIL, AS A CONSE-
QUENCE, THE MAINTENANCE OF UNEQUAL OR SEPARATE STANDARDS
AND SHALL BE DISCONTINUED WHEN THE OBJECTIVES OF
EQUALITY OF OPPORTUNITY AND TREATMENT HAVE BEEN ACHIEVED.

(2) ADOPTION BY STATES MEMBERS OF SPECIAL MEASURES, INCLUD-
ING THOSE MEASURES CONTAINED IN THIS CONVENTION AIMED AT
PROTECTING MATERNITY, SHALL NOT BE CONSIDERED DISCRIMINA-
TORY. END QUOTE

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2. REVISED TEXT OF ARTICLE 17 ADOPTED BY CONSENSUS AS
FOLLOWS:

PARA 1. NONE OF THE PROVISIONS OF THIS CONVENTION MAY BE
REGARDED AS DIMINISHING THE SIGNIFICANCE OF THE EXISTING
DOMESTIC LEGISLATION OF STATES PARTIES IF THAT LEGISLATION
PROVIDES MORE EXTENSIVE RIGHTS FOR WOMEN.

PARA 2. SIMILARLY, NOTHING IN THIS CONVENTION SHOULD
AFFECT EXISTING CONVENTIONS ADOPTED UNDER THE AUSPICES OF
THE UNITED NATIONS OR ITS SPECIALIZED AGENCIES AND HAVING
AS THEIR OBJECT THE REGULATION OF VARIOUS ASPECTS OF THE
STATUS OF WOMEN AND IF THEY PROVIDE FOR MORE EXTENSIVE
RIGHTS FOR WOMEN.

3. REVISED TEXT OF ARTICLE 18 ADOPTED BY CONSENSUS AS
FOLLOWS:

THIS CONVENTION SHALL BE OPEN FOR SIGNATURE BY ALL STATES.
INSTRUMENTS OF RATIFICATION SHOULD BE DEPOSITED WITH THE
SECRETARY GENERAL OF THE UNITED NATIONS.

4. ARTICLE 19 ADOPTED BY CONSENSUS AS FOLLOWS:

PARA 1. A REQUEST FOR THE REVISION OF THIS CONVENTION
MAY BE MADE AT ANY TIME BY ANY STATE PARTY BY MEANS OF
NOTIFICATION IN WRITING ADDRESSED TO THE SECRETARY
GENERAL OF THE UNITED NATIONS.

PARA 2. THE GENERAL ASSEMBLY OF THE UNITED NATIONS SHALL
DECIDE UPON THE STEPS, IF ANY, TO BE TAKEN IN RESPECT OF
SUCH A REQUEST.

5. ARTICLE 20 DELETED BY CONSENSUS AS UNNECESSARY IN THE
CASE OF THIS CONVENTION.

6. ARTICLE 21. BELGIUM HAS PROPOSED THE FOLLOWING AMEND-
MENT TO ARTICLE 21 (ECN.6/591) TO ESTABLISH PROCEDURES
SIMILAR TO THOSE USED IN THE RACIAL CONVENTION, AS
FOLLOWS:

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QUOTE. ARTICLE 21: REPLACE THE FIRST PARAGRAPH OF THE
FIRST ALTERNATIVE TEXT TO THE ARTICLE BY THE FOLLOWING:

THERE SHALL BE ESTABLISHED A COMMITTEE ON THE CONVENTION
ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
(HEREINAFTER REFERRED TO AS THE COMMITTEE) COMPOSED OF 12
EXPERTS OF HIGH MORAL STANDING AND ACKNOWLEDGED IMPARTIALITY,

OF RECOGNIZED COMPETENCE IN THE FIELD OF THE STATUS OF
WOMEN AND POSSESSING LEGAL EXPERIENCE, WHO SHALL BE ELECTED
BY STATES PARTIES FROM AMONG THEIR NATIONALS AND WHO
SHALL SERVE IN THEIR PERSONAL CAPACITY, CONSIDERATION
BEING GIVEN TO EQUITABLE GEOGRAPHICAL DISTRIBUTION AND
TO REPRESENTATION OF THE DIFFERENT FORMS OF CIVILIZATION
AND OF THE PRINCIPAL LEGAL SYSTEMS. END QUOTE

7. QUERULOUS OPPOSITION OF SOVIETS TO CONVENTION IMPLE-
MENTATION PROCEDURES HAS MADE IT DIFFICULT TO REACH
AGREEMENT ON COMMITTEE STRUCTURE CALLED FOR IN ARTICLE 21.

8. PRESENT SCHEDULE CALLS FOR COMPLETION OF DRAFT CON-
VENTION BY DEC. 10.CATTO

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Margaret P. Grafeld
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